

Definition of “Family” and the Enforcement of Excessive Persons in R-1 Zones

Family: A Family is:

- a. An individual or two or more persons related by blood, marriage, or adoption and usual servants, living together as a single housekeeping unit in a dwelling unit.
- b. Not more than three persons, who need not be related, living together as a single, housekeeping unit within a dwelling. (Ord. 808, In effect July, 2000).

In October of 1998, the Board of Adjustment heard an appeal to the Zoning Administrator’s Opinion of September 3, 1998. The opinion stated that the term “need not be related” suggest that at least some of them could be related. In the fact situation (two sisters, two unrelated individuals, one single family, four bedroom home) the Board overturned the ZA’s opinion that two sisters and two other unrelated individuals, sharing the same single family home, violated the definition of family.

To ensure consistency with the Board of Adjustment’s ruling in this case, the following fact situations will not constitute a violation of the zoning ordinance:

1. A family may consist of any number of related individuals in a single family zone district. The relationship could be blood, marriage or adoption and includes, but is not limited to; parents, siblings, cousins, and step-siblings.
2. A family may consist of more than three unrelated individuals, if some of the parties are related.
3. The first group of related parties, will be considered the “nuclear” family, and two additional individuals, related or not, may reside with them without violating the zoning ordinance. Examples are:
 - a. Two sisters may occupy a single family home and have two additional roommates.
 - b. Three sets of triplets may not occupy a single family home because the first set of triplets is the “nuclear” family, and additional persons would be limited to two. This scenario would also create a situation in which more than one family resided, or a multi-family unit, which is not permissible in a single family zone district.
 - c. A family of three or more may host a foreign exchange student.
4. In multi-family zone districts, if the property is a rental property, the Rental Housing Code standards regarding square footage shall be applied Regardless of the relationship of the individuals occupying the property.